

R E M A R K S

This Response is (1) supplemental to applicant's Amendment filed June 5, 2006, (2) in further response to the Office Action issued April 26, 2006, and (3) in response to the Examiner's Communication dated July 20, 2006.

In the aforesaid Communication, the Examiner states: "The reply filed on June 5, 2006, is not fully responsive to the prior Office Action because no attempt was made to indicate how the claimed language distinguishes the applied prior art." This Supplemental Response is being filed to correct this deficiency.

Set forth below, in its entirety, is a copy of claim 1, as amended pursuant to the aforesaid Amendment filed June 5:

1. (Currently Amended) An easily removable child's hand support rail for a ~~bath-tub~~ bathtub, said bathtub having a bottom surface and a back wall, said removable support rail comprising consisting essentially of (a) an elongated elongate, horizontal hand rail, and; (b) two horizontal anchors connected substantially perpendicularly to the elongated hand rail, and extending parallel to one another, each horizontal anchor terminating in an end piece with a first suction cup facing away from the elongated hand

rail, for attachment to the back wall of the ~~tub~~ bathtub; and (c) two vertical anchors connected substantially perpendicularly to the ~~elongated~~ hand rail, and extending parallel to one another, each vertical anchor terminating in an end piece with a second suction cup facing away from the hand rail, for attachment to the bottom surface of the ~~tub~~ bathtub.

As noted in applicant's Amendment filed June 5, claim 1 now defines "an easily removable child's support rail for a bathtub" consisting essentially of three elements:

(a) a elongate horizontal hand rail;

(b) two horizontal anchors connected substantially perpendicularly to the hand rail...for attachment to the back wall of the bathtub; and

(c) two vertical anchors connected substantially perpendicularly to the hand rail...for attachment to the bottom surface of the bathtub.

None of the references teach or suggest a "child support rail for a bathtub" consisting of only an elongate horizontal hand rail which is mountable in a bathtub by means of two horizontal anchors and two vertical anchors. All of the references, the most relevant of which appear to be Van Reimsdyck, Stater and Tilson et al., disclose vastly

more complicated mechanisms for providing a seat or the like in a bathtub environment. None of these references, either alone or in combination, suggest the provision of a single horizontal hand rail, which may be supported in a bathtub by two horizontal and two vertical anchors.

Applicant's claim 1, which is the only independent claim in this application, is essentially a "picture claim" of the embodiment of applicant's invention shown in Figs. 1 and 2. Attached to this Response are two photographs of the actual claimed device.

As may be seen at a glance by comparing applicant's Fig. 1 and 2 with the relatively complicated structures shown in the cited references, applicant's system is simpler, less expensive and, in the last analysis, serves a different purpose from the configurations of the prior art.

The allowance of this application is accordingly respectfully solicited.

Respectfully submitted,

By

  
Karl F. Milde, Jr.

Reg. No. 24,822

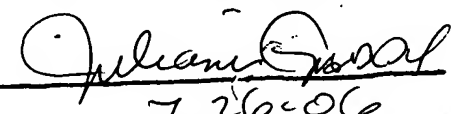
MILDE & HOFFBERG, LLP  
10 Bank Street - Suite 460  
White Plains, NY 10606  
(914) 949-3100

I hereby certify that this correspondence is being deposited with the United States Postal Services as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on 7-26-06

4

By

Date

  
7-26-06